



03/6/06

#FV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: GINO DILULLO ET AL.

Filed: APRIL 8, 2004

For: HIGH TEMPERATURE FLEXIBLE CEMENTING COMPOSITIONS
AND METHODS FOR USING SAME

Serial No.: 10/820,978

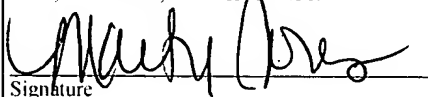
Group Art Unit: 1755

Examiner: MARCANTONI, P.

Atty Dkt: BJSC:296D1

NUMBER: EV559591641US

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service, postage prepaid, under 37 CFR 1.10 on the date indicated below and is address to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Signature

3-3-06
Date

APPLICANTS' COMMENTS FOR PLACEMENT IN FILE

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit the following comments concerning the above-captioned patent application. Applicants respectfully request that these comments be place in the file wrapper of the present patent application.

USSN 10/820,978

BJSC-296D1

EV559591641US

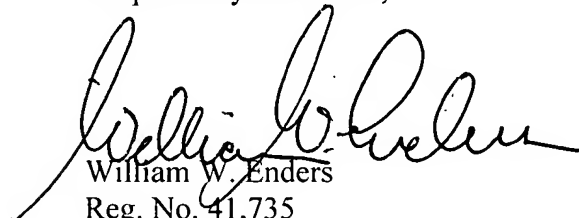
COMMENTS

Applicants disagree with the rejections contained in the final Office Action mailed October 6, 2005, but have decided not to pursue further the claims of the present patent application. Applicants, however, offer the following comments for placement in the file.

Regarding the new matter rejection of the final Office Action, support for new claims 24-38 is found in the claims as originally filed and throughout the specification, for example, at page 5, lines 11-22; page 7, lines 4-5; page 9, lines 1-9; page 10, lines 5-27; and page 16, lines 3-12.

In their response to the first Office Action, Applicants have previously submitted arguments overcoming the 35 USC 112 Second Paragraph rejections, and that amply demonstrate the patentability of the pending claims 20-38 over the cited references. Further, contrary to the assertion in the final Office Action, the specification of the present application clearly enables the claimed invention of the current patent application.

Respectfully submitted,


William W. Enders
Reg. No. 41,735
Attorney for Applicants

O'Keefe, Egan & Peterman, LLP
1101 S. Capital of Texas Highway
Building C, Suite 200
Austin, Texas 78746
512/347-1611
FAX 512/347-1615

Date: 3/3/06